

Minutes
Committee on Equal Opportunities
June 25, 2001

The Committee on Equal Opportunities met June 25, 2001, at the offices of the Council on Postsecondary Education. Members present: Mr. Graham, Ms. Helm, Ms. Prather, Mr. Thomas, Mr. Welch, and Mr. Wilson. Mr. Raoul Cunningham was welcomed to the committee. Mr. Cunningham replaces Benjamin Richmond. Members absent: Mr. Baker, Mr. Robinson, Ms. Watts, and Ms. Weinberg. Mr. Barger chaired the meeting.

The minutes of the April 16, 2001, meeting were approved upon amending the date.

REQUEST FOR WAIVER – NORTHERN KENTUCKY TECHNICAL COLLEGE:

The committee members were reminded that staff does not provide a recommendation on waivers. The applicant makes a presentation and the committee makes a recommendation to the council based on the strength of that presentation.

Dr. Candace Gosnell, Vice President at the KCTCS; Mr. Lawrence Fortson, Director of Minority Affairs at the KCTCS; and Dr. Earl Wittrock from Northern Kentucky Technical College made the presentation for KCTCS.

Northern Kentucky Technical College (NKTC) is interested in using the waiver to implement two new academic programs: an information/technology degree and an early childhood development degree.

The council's evaluation of fall 1999 data showed that NKTC had not achieved any of the objectives. Since the earlier evaluation, NKTC has achieved three out of the four objectives. A system affirmative action plan has been developed. The plan will be implemented within six to 12 months. Each college will have a plan that is based on the system plan. The Office of Diversity Programs developed goals and objectives. There are five goals – four of which are in conjunction with the Kentucky Plan.

NKTC has increased enrollment from 15 to 27 African American students; is jointly implementing project Gear Up with Covington Junior High School; is the adult education provider in Covington; is beginning a program in City Heights; participates in the Urban Learning Center; has started an aggressive retention plan (if a student misses two days unexplained from any course, that student is called); and has built into the academic calendar two days when every faculty member in a program sits down with students to review academic plans.

NKTC has not made any progress on its commitment to hire executive, administrative, and managerial employees. There are three full-time African American faculty and several adjuncts that may eventually move to full-time status. There are two African Americans employed as professional staff.

It was noted that this same presentation was made to the board of regents committee who then made a recommendation to the full board of regents. The board was directly involved in this process. The KCTCS has made it clear to the colleges that when waiver requests come to the CEO, approval will not be entertained unless there is documentation and evidence that progress has been made rather than just presenting programs and actions that have the potential for success.

Mr. Welch moved and Ms. Prather seconded the motion to grant the request. The motion passed.

The committee asked that the KCTCS provide a copy of one of the retention plans in place at NKTC for an individual budget unit.

The committee agreed that it should review the parameters for the granting of waivers.

KENTUCKY PLAN EEO PLANNING & THE CPE ACTION AGENDA:

Dr. Sue Hodges Moore, Executive Vice President of the Council on Postsecondary Education, addressed the CEO and provided suggestions for equal opportunity planning as a new plan is developed. She suggested that the new plan incorporate some of the tools that are in place in the action agenda.

The Commonwealth's goal is to set Kentucky on a path to achieve economic opportunity and a standard of living above the national average in 20 years. This has become the touchstone for our collective work in postsecondary education as we implement reform. Our focus is on the people of Kentucky, raising per capita income, creating jobs, increasing literacy, and overall improving the health and well being of children. The Committee on Equal Opportunities is one of our vital partners in moving this action agenda forward.

One of the challenges being faced, and a place where partnerships have become critically important in implementing reform goals, is in the area of P-16. For every 20 students who enter the ninth grade, 14 graduate from high school, seven enter college, and three graduate with a baccalaureate degree from one of our public institutions. These statistics are for all students. If the seven going into postsecondary education were African Americans, the numbers would be about half -- there would be fewer than two graduating with a baccalaureate degree.

The council and the Workforce Development Cabinet have teamed up to improve education levels in the area of adult education. The goals for 2020 cannot be achieved without a strong partnership and without paying close attention to the adult education needs of Kentucky's citizens. The Kentucky adult literacy survey shows that of the 2.4 million working adults age 16-65 in Kentucky, 1 million of them function at low levels of literacy. Out of those 1 million in the year 2000, we were serving about 50,000 (about 18 percent were African American).

Monitoring performance and reporting results for the system is very important. As a part of all those responsibilities, there are a number of things the council does to monitor performance and report results. One is the work that the CEO does through the equal opportunities plan by setting

the quantifiable objectives for enrollment, retention, graduation, and employment as well as the monitoring done on the campus environments to make sure that our campuses are supportive.

The council also has a responsibility to regularly report to our stakeholders about progress in meeting the objectives in HB 1. We have set some measurable outcomes from year to year to tell us whether we are on the right track and making the progress that we need to make.

We all know that what gets measured is what will matter. As you begin your planning for 2003-2007, it would be important to look at what the council has set forth in terms of its key indicators of progress and to see how the equal opportunity commitments can have the greatest impact on the state's overall public agenda.

The accountability system is organized around five questions. 1. Are more Kentuckians ready for postsecondary education? 2. Are more students enrolling? 3. Are more students advancing through the system? 4. Are we preparing Kentuckians for life and work? 5. Are Kentucky's communities and economy benefiting? They focus primarily on the people that we serve in the system rather than on the institutions themselves, although we do break down some of the goals and set goals by institutions. Most of the goals are statewide goals that are focused on serving the people and others that we serve in the system.

There are 6-10 quantifiable, specific indicators under each of these five questions. The council, at its March meeting, set goals for 2002 for about half of those indicators. We are working now through the end of the year to set goals for the rest of the indicators.

Question 1 – Are more Kentuckians ready for postsecondary education? We will be able to see whether both our recent high school graduates, as well as adults beyond the traditional college going age, are prepared to advance their education. We will also be able to see whether Kentucky's colleges and universities are affordable to them. Here we have taken into consideration tuition, fees, state subsidies, federal and state aid, and institutional discounts. As you embark upon your planning, these are the types of questions that would be appropriate for you to ask about African Americans.

Question 2 – Are high school graduates indeed enrolling? Is a greater proportion of the adult population enrolled in college? Are enrollments through the Kentucky Virtual University increasing? Through the eyes of the Committee on Equal Opportunities, you would ask whether we are enrolling a greater number of African Americans.

We set a goal for 2000 of 164,000 on a base for 1998 of 160,000. We have surpassed that goal in 2000 by 5,500 students. Kentucky's colleges and universities (both public and private) are serving about 9,000 more students today than they were in 1998. More African American students are enrolling as well. In 1997, of the total in our universities, about 8 percent were African American. And in all of 2000 that has gone up to about 8.5 percent.

Question 3 – Are more students advancing through the system? We will be asking whether the students who are enrolling in our public universities and community and technical colleges are

staying; whether they are being retained; and whether they are earning certificates, diplomas, and degrees.

Again, of the 20 whom enter the ninth grade, if only three graduate -- this is the leakage that we need to stop. There are a number of important initiatives underway now including your work through the equal opportunity plan and the partnership agreement that is focused on enrollment, retention, and graduation. Some of the programs like the minority student college preparation program, the doctoral scholars program, and the African American high school senior conference are all geared towards bringing those people back to reduce the leakage.

Gear Up, the Gaining Early Awareness and Readiness for Undergraduate Programs, is a federal program where the state has invested \$10 million and the federal government has invested \$10 million. It is focused on socioeconomically disadvantaged middle school students to get them to stay in school, to study hard, and to take the courses that they need to be successful in college. That program has about 5,500 students in it (in middle schools) and 1,143 of them are African American – about 21 percent.

Question 4 – Are we preparing Kentuckians for life and work? Through national and Kentucky-based surveys, we are going to ask the customer (students and graduates of our programs) if they are satisfied with the education they received; did it prepare them for good jobs and for a good life.

Question 5 – Are Kentucky's communities and economy benefiting? It will measure whether Kentuckians who complete programs in our colleges and universities and earn degrees are working in Kentucky. We will also look at whether students who come to Kentucky from other states to go to school are remaining in Kentucky to live and work.

We will also ask the customers (employers in communities) whether they are satisfied with the graduates who are coming out of our system and whether they are satisfied with the other types of services that our colleges and universities offer to them. We will also look at indicators such as the amount of research and development dollars that our universities are bringing into the state; the number of business start-ups; and the number of licenses that yield income as an indicator of our universities' contribution to the economic development of the state.

You can see that your quantifiable objectives fit nicely under the five questions – particularly under 2, 3, and 4. Again, as you begin your planning discussion, it would be important to use these five questions as a context for your planning.

We are putting together what we call a consumer information system. For every indicator, plus some others that are related, we will be able to unpack or drill down into the data by ethnicity, by gender, by county, and by region. There will be a very rich data base behind these key indicators that I think would be of particular interest to all of you as you engage in your planning.

The committee asked that copies of Kati Haycock's report be distributed to members. The committee also asked that representatives from the P-16 Council, adult education, and Gear Up be invited to address the committee at a future meeting.

KENTUCKY PLAN EEO PLANNING -- LEGAL ENVIRONMENT:

Three words summarize the legal environment: unsettled, muddy, and confusing. There is not much relief or guidance from the circuit court levels or even the district court levels, and the Supreme Court has not taken up any of the issues yet that are of interest to Kentucky.

An example is *Grutter v. Bollinger* (Michigan). Bollinger is the president of the University of Michigan. Grutter is a white female who applied to the law school at the University of Michigan and was denied admission. The District Court ruled that the University of Michigan's law school admissions policy violated the 14th Amendment – the equal protection clause. The Sixth Circuit Court of Appeals stopped the injunction. They said the university could continue using its current admissions policy until the appeal from the University of Michigan comes forward and is decided on its merits.

There are two other cases that may impact the equal opportunity planning process in Kentucky -- one in the 9th Circuit Court in the state of Washington. The 9th Circuit ruled differently than the 6th Circuit. They ruled that diversity is permissible under the 14th Amendment and they cited *Bakke* as prevailing law particularly Justice Powell's language on diversity as a plus. The second is also out of Michigan. The District Court ruled that the University of Michigan could use diversity as a plus in the admission of undergraduate students. But they also ruled that the University of Michigan's argument that their policy was a remedy for past discrimination was not valid. They ruled against the university on that issue.

2003-07 KENTUCKY PLAN EQUAL OPPORTUNITY PLAN DEVELOPMENT:

The Kentucky Plan and the Partnership Agreement with the OCR are both scheduled to conclude December 2002. Though the partnership officially ends in December 2002, the Office for Civil Rights will evaluate the data and make a determination by March 2003 as to whether or not Kentucky has been successful in achieving the commitments.

The OCR is focusing primarily on two areas of the agreement: enhancing Kentucky State University (the Commonwealth's historically black institution); enrolling and graduating African American students; and employing African Americans in professional, administrative, managerial, and other professional non-faculty positions at the traditionally white institutions. Those are critical elements in both the partnership agreement and the Kentucky Plan for Equal Opportunities.

Developing a new plan will require that the CEO considers the action of the 2002 General Assembly as it relates to equal opportunity planning and "the enhancement" of KSU. One course of action is to delay the planning process by recommending to the council that the existing plan continue without any changes in the goals and objectives until a new plan is adopted by the CEO and the council.

The CEO is not required to take any action until October 2002. A recommendation would be presented to the council for action at its November 2002 or January 2003 meeting.

EQUAL EDUCATIONAL OPPORTUNITY PROGRAMS:

There are 15 total slots for the SREB doctoral scholars program. With the exception of four slots, funding for the program is nonrecurring. The council will be asked to request recurring funds for the remaining 11 slots.

Two Southern Regional Education Board doctoral scholars were introduced to the committee. Brenda Hosely (originally from West Virginia) is a doctoral dissertation year scholar at the University of Kentucky in sociology. Cynthia Lynn Shelton (originally from Cincinnati) is a doctoral dissertation year scholar at the University of Kentucky in American History.

PARTNERSHIP AGREEMENT -- THE CAMPUS ENVIRONMENT TEAMS:

At the April 16 meeting, the CEO requested information from the universities' CETs (Campus Environment Teams) to determine whether their goals and objectives, planning processes, evaluation of accomplishments, and overall effectiveness continued to be ambiguous. All institutions responded.

KSU PLAN TO IMPROVE STUDENT PERFORMANCE ON THE PRAXIS II EXAM and OTHER INSTITUTIONS STUDENT PERFORMANCE ON PRAXIS:

Susan Leib, Executive Director of the Education Professional Standards Board, and Phil Rogers, head of the testing and research division at EPSB, made comments and answered questions posed by the committee.

Kentucky has gone from being a state that is concerned about seat time and numbers of courses to being a completely performance-based state. Teacher standards and administrator standards are developed by teachers and administrators from across Kentucky.

EPSB asks that preparation programs be aligned with the core content and the academic expectations that are developed by the Kentucky Board of Education for P-12 students. EPSB insists that after graduation, graduates go through a year-long internship to make sure that they understand not only their content but also are able to teach that content. The Standards Board feels very strongly that good teaching is made up of two aspects: knowing the content and being able to express that content to a number of students that have all kinds of various abilities.

The PRAXIS II tests are content-based tests. They are national tests and are developed by the Education Testing Service (ETS). EPSB requires that tests be reviewed by practicing teachers with expertise in those content areas to make sure that the tests' contents are aligned with the core content that is required of P-12 students. They decide what the cut-off score should be and they make a recommendation to the Standards Board. The Standards Board raised the scores between the 15th and 25th percentile for all tests used in this state.

Kentucky State University was on probation relative to their accreditation several years ago. When the Standards Board went back to KSU last year, significant progress had been made. At that time, the PRAXIS test scores were not considered part of the accreditation visit. It has only

been this year that we will be making our first report to the federal government regarding passage rate on the PRAXIS test. Also, the Standards Board is setting up its own report card on each institution to address areas other than PRAXIS.

The bottom line is that when certification occurs, we expect everybody to be at the same standard. EPSB is ready to work with the university. KSU has already been working with EPSB to make sure that those test results improve.

One area in which the institutions have done the poorest across the state is providing opportunities to work with diverse students and to have diverse faculty working with those students. A facet of our report card is to ensure that students will have more opportunities before they get into the internships – while they are in student teaching or doing field experiences – to be working with diverse learners. A number of institutions are looking at putting the PRAXIS exams prior to student teaching to ensure that they will be successful.

EPSB is in the process of realigning all internships and student teaching requirements more on a performance base with specified indicators of how each teaching standard is being met.

As the institutions view the preparation of teachers and administrators as a university-wide responsibility, more and more support is coming from the top. The institutions are on the internship committee. The institutions need to be more supportive of the internship. The Standards Board does not feel that it is the “right” of every institution, public or independent, to have a teacher preparation program.

One reason the Standards Board is looking forward to the publication of the state report card on the institutions is so the General Assembly, state agencies, and the public at large will be able to review the programs and see which ones are working and which ones are not. Then EPSB wants to step in and provide technical assistance.

Each state has different minimum passing scores which makes it impossible to compare one state with another. EPSB can provide information within the state because they are all sharing the same cut score. The scores in Kentucky are set between the 15th and the 25th percentile. These scores went into effect January 2000 and will remain in effect for the foreseeable future – until everybody is proficient.

Kentucky has an outstanding alternative certification program -- the ACES program in Jefferson County. This program is primarily African American students. ACES has nearly a 100 percent pass rate. The success of that program is greatly based on personal attention. They develop training programs so that the needs of the students are met. Kentucky has the highest (99.9) pass rate on the national administrator test of any state in the country -- for minorities and white candidates.

KSU, as requested by the CEO, submitted a report on the university’s plan to help students improve their performance on teacher certification. Following a brief discussion, the CEO asked the KSU representative to clarify several statements in the report.

Mr. Chatman, Vice President for Student Affairs at KSU, responded. The university report was written in the context of larger enhancement efforts. To KSU it is a matter of being enhanced so we can be better situated to address issues. We want to make sure that that point is not lost -- that enhancement is very important. Funding is needed to strengthen the teacher education program as well as other programs.

The university believes that there has been an overemphasis on negative issues. And what I want to make sure happens is that part of the system does not miss an opportunity to address the problem of long-standing discrimination and desperate treatment.

Mr. Jackson commented that the role of the CEO, as it relates to the KSU education program, grows out of the partnership agreement. There is a specific commitment that calls for KSU, along with UK, UofL, and the council, to review and work out a plan for improving the education program. That is in addition to any enhancement initiatives. Enhancement carries with it not only a requirement for the state of Kentucky to provide additional financial support for the university, but it also calls for the Commonwealth to hold the university accountable for the funds that it already receives. The state has a two-fold responsibility: to support the university and the things that it is trying to do, and to hold KSU accountable for the resources that have been placed at its disposal. The university has been asked to be accountable for how those resources are being used to enhance the opportunity for success of students who are going through the education program. The answer to that question bears considerably on whether, in December 2002, the Commonwealth of Kentucky is judged to have carried out its responsibility under the partnership agreement.

Mr. Barger stated that it is fairly clear, particularly with the agreement with the OCR, that the CEO does need to be involved with KSU if we are to be successful.

The CEO asked that staff provide more information, at a future meeting, regarding the following subjects: The cost of an ETS report about the success of minority students at other schools, especially historically black colleges, and the pass rate of African American students at Kentucky State University compared to African American students at the traditionally white and traditionally black institutions nationally.

1997-2002 KENTUCKY PLAN NEW PROGRAMS UNDER QUANTITATIVE WAIVER:

Members had no questions/comments regarding this information item.

PARTNERSHIP AGREEMENT FINAL REPORTS – OCR CAMPUS VISITS FY 2000:

Members had no questions/comments regarding this information item.

OTHER BUSINESS:

Two letters (one to the Governor and one to Gordon Davies) from Rev. Louis Coleman about the CEO's involvement with KSU were read – copies of the letters were given to committee members.

The next CEO meeting will be Monday, August 20, at 9 a.m. at the council offices.

The meeting adjourned at noon.

Sherron Jackson
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Carrie Lee Dean, Executive Secretary